

### **REMARKS**

This is intended as a full and complete response to the Final Office Action dated July 27, 2007, having a shortened statutory period for response set to expire on October 27, 2007. Please reconsider the claims pending in the application for reasons discussed below.

#### ***Claim Objections***

The Examiner objected to claim 27 due to informalities. In response, Applicants have amended claim 27 accordingly. Therefore, Applicants respectfully request this rejection of claim 27 be removed.

#### ***Claim Rejections - 35 U.S.C. § 102***

The Examiner rejected claims 26, 33, and 70 under 35 U.S.C. § 102(b) as being anticipated by *Luke* (4,648,455). Applicants respectfully traverse the rejection of claims 26 and 33. Additionally, Applicants have amended claim 70.

Claims 26 and 33 include the limitation of a tubular string having at least two apertures (or a plurality of apertures). As amended, claim 70 includes the limitations of claim 78 and therefore no additional matter has been added. Specifically, claim 70 includes the limitation of controlling a water and vapor ratio by permitting the steam to pass through a selected number of apertures formed in the tubing. *Luke* clearly does not disclose a tubular having at least two apertures. Rather, as shown in Figure 3A, *Luke* merely discloses a tubular with a single slot 10k (see *Luke*, col. 4, lines 10-11). The reference number 12a, which the Examiner refers to in the Office Action, is not an aperture, but rather a tab that is configured to direct fluid into the single slot 10k of the tubular (see *Luke*, col. 4, lines 3-5). As such, *Luke* fails to disclose the structure of claims 26, 33, and 70. Moreover, the surface choke CH1 referred to by the Examiner on page 3 of the Office Action is clearly not configured to be regulated by varying a nozzle arrangement at the injection point, wherein the varying of the nozzle arrangement includes controlling a water and vapor ratio by permitting the steam to pass through a selected number of apertures formed in the tubing, as recited in claim 70. As the foregoing

illustrates, *Luke* fails to disclose all the limitations of claims 26, 33, and 70. This failure precludes *Luke* from anticipating claims 26, 33, and 70. Therefore, Applicants respectfully request the 102(b) rejection of claims 26, 33, and 70 be removed and allowance of the same. Additionally, since claim 27 depends from claim 26, claims 34-35 depend from claim 33, and claims 71, 72, and 74-77 depend from claim 70, these claims are allowable for at least the same reasons as claims 26, 33, and 70.

The Examiner rejected claims 36 and 37 under 35 U.S.C. § 102(e) as being anticipated by *Mokrys* (6,318,464). In response, Applicants have amended claims 36 and 37 to include the limitation of at least one nozzle disposed along the string of tubulars. *Mokrys* does not disclose this limitation. Rather, *Mokrys* discloses a nozzle in a solvent injector 96 in a surface facility and a perforated tubing section 36 in a wellbore (see *Mokrys*, Figures 3 and 6). As such, *Mokrys* fails to disclose all the limitations of claims 36 and 37. This failure precludes *Mokrys* from anticipating claims 36 and 37. Therefore, Applicants respectfully request the 102(e) rejection of claims 36 and 37 be removed and allowance of the same. Additionally, since claims 38-39 depend from claim 37, these claims are allowable for at least the same reasons as claim 37.

### ***Claim Rejections - 35 U.S.C. § 103***

The Examiner rejected claim 73 under 35 U.S.C. § 103(a) as being obvious over *Luke* in view of *Sims* (5,990,370). Applicants respectfully traverse the rejection. Claim 73 depends from claim 70. As set forth above, *Luke* fails to teach all the limitations of claim 70. Further, *Sims* fails to cure the deficiencies of *Luke*. This failure precludes the combination of *Luke* and *Sims* from rendering claim 73 obvious. Therefore, Applicants respectfully request the 103(a) rejection of claim 73 be removed and allowance of the same.

### ***Allowable Subject Matter***

The Examiner indicated that claims 47-69 are allowed. Applicants appreciate allowance of these claims.

**Conclusion**

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,

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